

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION**

**CRIMINAL MINUTES – JURY TRIAL  
Day 10**

**Case No.: 4:18CR00011-001      Date: 10/29/2019**

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**Defendant: Marcus Jay Davis, custody**

**Counsel: Tony Anderson, Bev Davis,  
Melissa Friedman - CJA**

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PRESENT: JUDGE: Michael F. Urbanski, CUSDJ  
TIME IN COURT: 9:29-11:00; 11:21-12:56; 2:04-3:32; 3:55-4:42; 4:52-6:10  
6h 39m  
Deputy Clerk: Kristin Ayersman  
Court Reporter: JoRita Meyer  
U. S. Attorney: Heather Carlton, Ron Huber, Rachel Swartz  
USPO: none  
Case Agent: Devin Taylor, FBI TFO  
Interpreter: none

**LIST OF WITNESSES**

GOVERNMENT	DEFENDANT
1. Thomas Cosby, Jr. 2. Officer Carnell Jackson, Danville PD 3. Officer Charles Willard, Danville PD 4. Officer Steven Cannaday, Danville PD 5. Officer Melissa Darnell, Danville PD 6. Officer Perrow Brumfield, Pittsylvania County Sherriff's Office 7. Wendy Gibson	1.

**PROCEEDINGS:**

- ☒ Defendant makes Motion for Dismissal.  
Court ☐ grants ☐ denies ☒ takes under advisement.  
☒ Government presents evidence. Mr. Cosby, sworn. Cross. Witness excused. Officer Jackson, sworn. No Cross. Witness excused. Officer Willard, sworn. Cross. Witness excused. Recess 12:56 Reconvene 2:04 US informs court of intention of using certain

photographs with witness testimony. Jury returns. Officer Cannaday, sworn. No cross. Witness excused. Recess 3:32 Reconvene 3:55 Officer Darnell, sworn. No cross. Witness excused. Officer Brumfield, sworn. Recess 4:42 Reconvene 4:52 Direct continues. No cross. Witness excused. Ms. Gibson, sworn. Stipulation as to expert re tool marks, conditioned on prior rulings of the court. Cross. Witness excused. Court asks jury to start at 9am. Counsel to arrive at 8:00am. Jury released 6:10 Adjourn.

☒ Defendant remanded to custody.

Additional Information:

Court addresses parties re email received from US last night re additional discovery. Court asks US to respond. Court will not release Mr. Newman as atty of record for US. US responds. Ms. Carlton asks to be excused from courtroom to get materials transcribed so that court and defense counsel will have draft transcript to review. Dft counsel responds – asking for charges to be dismissed. Court calls Mr. Newman to lectern to respond re filed affidavit re discovery. Dft counsel cross – Mr. Newman is an officer of the court and needs not be sworn. Court addresses parties, noting which items Mr. Newman is to produce today. Dft counsel may submit additional written response. Court takes issue under advisement. Court excuses Ms. Carlton to work on transcription, Ms. Friedman go with Ms. Carlton. Dft renewed motion to dismiss. Recess 11:00 Reconvene 11:21 Jury enters courtroom 11:22